



**U.S. Immigration  
and Customs  
Enforcement**

March 4, 2005

# News Release

## **ICE INVESTIGATION LEADS TO INDICTMENT OF THREE MEN IN HUMAN SMUGGLING CONSPIRACY**

MIAMI – Jesus Torres, U.S. Immigration and Customs Enforcement (ICE) Special Agent-in-Charge for the Miami office, Marcos Daniel Jiménez, United States Attorney for the Southern District of Florida; and Rear Admiral D. Brian Peterman, Commander, 7th Coast Guard District, United States Coast Guard (USCG), announced today an indictment handed down on Feb. 16, 2005, by a federal grand jury in Key West, Florida. That indictment charged defendants: Yulier Duque, Severo Tapanes, and Rafael Lopez, each with one count of Conspiracy to Smuggle Illegal Aliens into the United States, in violation of Title 18, Section 371, and 35 counts of Alien Smuggling, in violation of Title 8, United States Code, Section 1324(a)(2)(A).

On Thursday, following his arrest, Duque made an initial appearance in federal court in Miami, Florida. Defendants Tapanes and Lopez remain at large. If convicted of the Conspiracy count, each defendant would face a maximum term of one-year in prison. If convicted of the Alien Smuggling counts, each defendant would face a maximum term of one-year in prison for each count.

“The smuggling of people into the United States is a dangerous and often deadly enterprise. Immigration and Customs Enforcement will aggressively pursue any person or criminal organization that exploits the misery of others for profit,” said Jesus Torres, ICE Special Agent-in-Charge of the Miami office.

On Nov. 19, 2004, USCG and Customs and Border Protection Air and Marine units encountered a 32' speed-boat about 37 nautical miles south of Big Pine Key, Florida. The vessel was ultimately stopped and boarded by the Coast Guard about 9 miles south of Big Pine Key. The Coast Guard boarding crew found 38 Cuban migrants destined for the United States. Defendants Duque, Tapanes and Lopez were found on that vessel and are alleged to have been part of the conspiracy to bring those migrants to the U.S.

United States Attorney Marcos Daniel Jiménez commended the investigative efforts of Immigration and Customs Enforcement, U.S. Customs and Border Protection, and the United States Coast Guard. Assistant United States Attorney Benjamin Danie is prosecuting the case.

# ICE #

*U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.*